



Austin City Council MINUTES

For

JULY 15, 1982 -- 1:00 P.M.

Council Chambers, 301 West Second Street, Austin, Texas

City Council

Carole Keeton McClellan
Mayor

John Treviño, Jr.
Mayor Pro Tem

Council Members
Larry Deuser
Roger Duncan
Richard Goodman
Ron Mullen
Charles E. Urdy

Nicholas M. Meiszer
City Manager

Grace Monroe
City Clerk

Memorandum To:

Mayor McClellan called to order the meeting of the Council at 1:00 p.m., noting the absence of Councilmember Urdy, Councilmember Deuser, Councilmember Goodman and Councilmember Mullen, who arrived at 1:07, 1:11, 1:11 and 1:25 respectively.

INVOCATION

The Invocation was given by Reverend Clarence Bassett, El Buen Presbyterian Church.

APPROVAL OF MINUTES POSTPONED

Council postponed approval of the Minutes for Regular Meetings of July 1, 1982 and Special Meetings of July 6 and 7, 1982.

COUNCIL MEMBER GUESTS RECOGNIZED

Mayor McClellan recognized the presence in the Council Chamber of children from the Central East Austin Community Organization Summer Program of St. James Baptist Church.

CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Mullen absent)

Release of Easements

Authorized release of the following easements:

- a. A portion of an electric and telephone easement recorded in Volume 3063, Page 490 of the Travis County Deed Records and located on Lot 1, Greenwood Park Subdivision, 12619 Research Boulevard. (Requested by LML Investment Company)
- b. 2.5' of a 7.5' Public Utility Easement on Lots 23 and 24, Block B, The Oaks of Barton, locally known as 2607-2609 Trailside Drive. (Requested by Burton Builders)
- c. A 10' Drainage Easement and various 7.5' and 15' Public Utility Easements recorded on the plat of Spicewood Estates Section One. (Requested by Mr. Oscar W. Holmes, P.E.)
- d. An Electric and Telephone Easement recorded in Volume 3946, Page 1262 of the Travis County Deed Records and located on Lot 4, Block 98, OCA, locally known as 812-814 Congress Avenue. (Requested by Brown, Maroney, Rose, Baker and Barber)

License Agreements

Authorized the issuance of the following License Agreements:

- a. To allow the installment of landscaping and pavers in the street median on Braker Lane from Kramer Lane to Metric Boulevard. (Requested by Trammel Crow Company)
- b. To allow the installation of landscaping and pavers in the street median on Metric Boulevard at Rutland Drive. (Requested by Trammell Crow Company)
- c. To allow the encroachment of a sign into the right-of-way adjoining Lot 11-B, First Resubdivision of Colorado Hills Estates, Section 5, locally known as 1923 Riverside Drive. (Requested by Startex Petroleum)

Construction Agreement

Entered into a Construction Agreement with the State Department of Highways and Public Transportation for the purpose of constructing a pedestrian overpass over MoPac at Far West Boulevard in accordance with Minute Order 79700, CAPITAL IMPROVEMENTS PROGRAM No. 82/61-02.

Change Order

Approved a Change Order in the amount of \$7,242.30 to Westinghouse Electric Corporation for Lytton Springs Substation. (7.8% increase in original contract)
CAPITAL IMPROVEMENTS PROGRAM.

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Contracts Approved

Approved the following contracts:

- | | |
|---|--|
| B & B LAND CLEARING COMPANY, INC.
1212 Old Bastrop Highway
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
City of Austin's share of
the cost for installation
of Underground Electric,
Telephone and Cable T.V.
Distribution Facilities for
Cherry Creek, Phase 7, Section
6, Electric Utility Department -
\$26,640.00 C.I.P. No. 82/15-01 |
| AUSTIN ROAD COMPANY
428 East Anderson Lane
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Street and Drainage Improvements
Community Development District
No. 8, Phase I, Public Works
Department - \$150,510.75
C.I.P. No. 75/62-20 |
| TURNER, COLLIE AND BRADEN, INC.
8900 Shoal Creek
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Supplemental Amendment to a
Professional Services Agreement,
Public Works Department - Not
to exceed \$112,278.00 C.I.P.
No. 82/23-85 |
| CUSHMAN ELECTRONICS
2450 N. 1st Street
San Jose, California | - FM Communications Monitor,
Vehicle & Equipment Services
Department
Item 1, 1 ea. - \$13,055.00 |
| CENTRAL TEXAS EQUIPMENT COMPANY
127 E. Riverside
Austin, Texas | - Centrifugal Trash Pumps, Water
and Wastewater Department
Items 1, 7 ea. & Item 2, 4 ea. -
\$7,242.24 |

Public Hearings Set

Set public hearings on the following:

- a. The designation of an Eligible Blighted Area for 322 Congress Avenue:
August 5, 1982 at 6:00 p.m.
- b. To amend Chapter 13-2 (Zoning Ordinance) of the Austin City Code related
to height limitations in the downtown area: August 5, 1982 at 7:00 p.m.
 - (1) Existing setback provisions
 - (2) Maximum 200 ft. height
 - (3) Floor-area ratio

Elisabet Ney Board of Directors

Amended the agreement concerning the Elisabet Ney Museum Board of Directors by providing for one additional member.

Storm Tract

Entered into an agreement with the owners of Storm Tract concerning possible acquisition.

CONSENT ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Goodman's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (6-0 Vote, Councilmember Mullen absent)

Paving Assessments

Ordered and set hearing at 2:30 p.m., August 26, 1982, on paving assessments to be levied on Cooper/Eberhart Lane, consisting of one unit covering approximately 9 blocks. CAPITAL IMPROVEMENTS PROGRAM No. 78/62-31.

Paving of Rutland Drive

Received and accepted work of paving Rutland Drive, consisting of approximately 22 blocks, CAPITAL IMPROVEMENTS PROGRAM No. 73/62-21.

Aviation Ordinance

Amended the 1981 Austin City Code by adding a new title, Title III.5 to be known as the Aviation Ordinance.

School Speed Zones

Amended Section 11-2-99 of the 1981 City Code to modify the following School Speed Zones:

DELETING - Subsection (i)

<u>ON</u>	<u>FROM</u>	<u>TO</u>
William Cannon Drive	180' E. of Bill Hughes Rd.	188' W. of South 1st St.

ADDING - (Subsection (i))

William Cannon Drive	300' E. of Bill Hughes Dr.	188' W. of S. 1st St.
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OFFICE OF MINORITY BUSINESS AFFAIRS

Councilmembers Urdy and Duncan proposed amending the November 6, 1975 resolution establishing the Office of Minority Business Affairs.

Motion

The Council, on Councilmember Urdy's motion, Councilmember Duncan's second, adopted the following resolution to amend the November 6, 1975 resolution establishing the Office of Minority Business Affairs: (6-0 Vote, Councilmember Mullen not present in the Council Chamber)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That it is the policy of the City of Austin's Office of Minority Business Affairs, under the direction of the City Manager, that minority business enterprises be afforded equal opportunity in the consideration and the award of City contracts and projects.

The City of Austin shall utilize every possible effort to implement an affirmative action policy.

The term "minority business enterprise" means a business, at least fifty percent (50%) of which is owned by minority group members or, in the case of publicly owned business, at least fifty-one percent (51%) of the stock of which is owned by minority group members. For the purpose of this definition, minority group members are Black, Spanish-Surnamed American persons, and women; and,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City of Austin shall:

1. Designate a minority business coordinator who will administer the City's Office of Minority Business Affairs and will serve as a contact point for all minority businesses interested in doing business with the City of Austin.
2. Advise user City departments of the potentialities of known minority business enterprises and assure adequate and timely consideration of these firms in the City's procurement functions.
3. Assure that known minority business enterprises will have an equitable opportunity to compete for contracts.
4. Maintain an updated registry of minority business enterprises for the Austin Metropolitan Area. Such registry shall include qualified and capable minority contractors who can undertake City contracts, including construction, material supply and services.
5. Develop an aggressive program to:

- 1) Seek minority entrepreneurs through communications such as radio, newspaper, and visits to facilities and contact with organizations and associations of minority business persons.
 - 2) Place a significant percentage of contract dollars into the hands of minority entrepreneurs.
 - 3) Integrate minority contractors and vendors into the City's normal bidding and contracting procedures.
 - 4) Produce a measureable impact on the employment needs of the minority and low-income population of Austin.
 - 5) Increase the management competencies of minority entrepreneurs
6. Assure that a statement similar to the following be included on all "invitations to bids":
- "The City of Austin hereby notifies all bidders that in regard to any contract entered into pursuant to this advertisement, minority business enterprises will be afforded equal opportunities to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award."
7. Disseminate construction project information to all interested minority parties; i.e., prime contractors, sub-contractors, and all potential bidders including the Capital Improvement Program.
 8. Provide all City departments with a list of minority enterprises which City departments will be encouraged to consider.
 9. Establish a procedure to maintain data in efforts to assist minority enterprises. Such data will include but shall not be limited to:
 1. Number of minority enterprises contacted.
 2. Number of enterprises invited to bid.
 3. Number of minority enterprises who responded.
 4. Evidence to support the City's efforts to communicate with minority enterprises.
 5. Number of contracts with minority business associations.

In each category, the ethnic breakdown will be provided; and,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the office of Minority Business Affairs will assess the training and technical assistance needs of minority vendors and contractors and perform training and technical assistance activities, including referring minority vendors and contractors to service contractors for training and technical assistance needs.

The City's Office of Minority Business Affairs will be staffed by three

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professional staff persons and one clerical assistant. The positions are as follows:

1. Economic Development Coordinator
2. Two Economic Development Specialists
3. Secretary I

Nothing in this plan for action or the goals for implementation shall be construed to negate the competitive bidding statutes. These procedures shall be adhered to at all times during implementation of this program.

STREET VENDING ORDINANCE

Scheduled on the Agenda was a City Manager Report on the Street Vending Ordinance; and for Council's consideration an ordinance establishing a fee of \$30.00 for the processing of a street vendor's license.

Terry Irion, Assistant City Attorney, reviewed the proposed ordinance.

Mr. John Howard, representing the Flower People, pointed out that fees will not be required by those who sell periodicals, participants in the Renaissance Market, sales on Red River, or a cantalope truck. Mr. Howard feels that the City Manager's recommendations are too stringent. He discussed the engineering of the road system and said one alternative may be to have a vending commission. He also said he thinks it would be well to have a Certificate of Exemption for each corner so that there will be just one vendor per corner.

Steve French, of Flower People, said other cities have found ways to let flower selling be allowed.

Discussion followed with the Mayor stating there are some big differences to solve. Councilmember Duncan wanted to find a way for the Flower People to stay in business. Mr. Jonathan Davis, Assistant City Attorney, said all vendors need to be treated the same. Mr. Irion said the First Amendment of the Constitution allows newspapers to be sold. Mayor McClellan stated the Council wants vendors to continue in a responsible fashion. Councilmember Duncan said the Council should set the policy and let the Vending Commission handle the licenses.

LATER IN THE DAY Council continued its discussion.

Mr. Irion said he and Mr. Howard had worked out compromises and went over them.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed as an emergency an ordinance amending Chapter 10-5, Section 10-53 (g) to add two exemptions "street corner sellers of flowers and food vendors on sidewalks only from push carts".
(7-0 Vote)

Mayor McClellan said there should a joint task force comprised of three from the Safety Traffic Commission, and three from the Vending Commission to study.

VENDING - (Continued)

Mr. Irion said the Police Department wants direction concerning when to begin enforcement. The Mayor and Councilmember Duncan said to begin enforcing immediately.

Roll Call on Motion

7-0 Vote

EXECUTIVE SESSION

Mayor McClellan announced at 2:10 p.m. that Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes annotated to discuss Proposal 7, South Texas Nuclear Project and Lion's Municipal Golf Course. At 4:05 p.m., Mayor McClellan came to the Council Chamber to announce Council would discuss the Southern Union Gas rate proposal in Executive Session and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

RECESS

Council recessed its meeting for executive session at 2:10 p.m. and resumed its recessed meeting at 4:20 p.m.

MUNICIPAL OFFICE BUILDING

Mr. Alan Taniguchi, chairman, Downtown Revitalization Task Force, presented a report on Recommendations Concerning a Municipal Office Building. The report is on file in the City Clerk's Office. Recommendation is for a centrally located office between 1st and 5th Streets which will be easily accessible to the public.

Mayor Pro Tem Trevino recommended Council receive the report. Council agreed and instructed the City Manager to bring back implementation for RFP's.

CITIZEN DID NOT APPEAR

Mr. Robert Fields, who had requested to discuss water and wastewater bonds did not appear.

VANDALISM IN PARKING LOT DISCUSSED

Mr. Willard M. Swinehart, president, Rebekah Baines Johnson Council, appeared before Council and read a resolution requesting help with the vandalism problems the residents there are experiencing since the fence surrounding their property

VANDALISM - (Continued)

was taken down. The residents are requesting nighttime lighting, and more police protection.

Chief Dyson appeared before Council to say the offences in the area have increased since removal of the fence. He said he will post a patrol in the area. Chief Dyson said a lot of people enter the building to use vending machines and the restrooms.

Mr. Cramer, Parks and Recreation Department, told Council the fences were removed because there was limited access to the park when the City took over the hospital. He said the fences are in storage and can be replaced closer to the residence building. Mr. Meiszer, City Manager, informed Council the hospital building will be used for the Health Department and EMS and when people and cars are there it should help with the problem of vandalism.

Mayor McClellan requested a report from the City Manager concerning fencing, lighting, police patrol, restroom inadequacies in the area.

CITIZEN DID NOT APPEAR

Mr. Adrian Piperi, who had requested to appear before Council to request reconsideration of a decision concerning a variance for Tumbleweed Place, did not appear because his problem had already been settled.

RIGHT-OF-WAY ACQUISITION REQUESTED

Mr. Joseph P. Savage appeared before Council to discuss right-of-way acquisition for widening of North Bluff Drive at I.H. 35. He said he is president of Sunview Development of Texas, Inc. and they are unable to get their subdivision finalized because of lack of utilities. Mr. Savage said they need 100 LUE's for Phase I. Mr. Schwing, Director of Water and Wastewater, said they have 30 days to evaluate the effect on the system and then Mr. Savage's request can be processed through the system.

PUBLIC HEARINGS - ALLEY VACATIONS

Mayor McClellan opened the public hearings set for 3:30 p.m. to consider vacating the following and passage of ordinances:

- a. West 6th Street Alley, 300 block. (Requested by the adjoining property owners)
- b. Bergman Avenue Alley, 1900 block. (Requested by the adjoining property owners)

Mr. Richard Ridings, Director of Public Works, said the vacation of the West 6th Street Alley, 300 block has been approved by all departments.

VACATIONS - (Continued)

Councilmember Mullen asked about the value of the property. Mr. Ridings told him it is \$138,000 which is compatible with other properties in the area.

Mr. Terry Bray told Council the design of the structure calls for it to go across the alley way. Councilmember Mullen asked how much easement will be maintained. Mr. Bray said he is not certain but will bring a site plan back to Council.

Motion

The Council, on Councilmember Urdy's motion, Councilmember Mullen's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating the West 6th Street Alley, 300 block. (7-0 Vote)

Mr. Ridings told Council the vacation of Bergman Avenue Alley, 1900 block, is recommended by staff.

No one appeared to be heard.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Mullen's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating Bergman Avenue Alley, 1900 block. (7-0 Vote)

GAS RATE ORDINANCE

Council had before it for action consideration of a gas rate ordinance for Southern Union Gas Company.

Don Butler, attorney, addressed Council regarding the Southern Union Gas rate application on which Council had a public hearing last week. "The consultants engaged by you recommended an increase of \$2,820,414.00 out of approximately \$5.7 million requested by the company. After discussions with the company this week we are inclined to agree with the company on an allocation factor that should have been used in one of our tax calculations, that is in the process of allocating expenses between Southern Union Gas Company and on down the central Texas division there are a number of allocation factors which have to be applied. We believe they are correct in their assertion that we should have used a different allocation factor and if that is done their recommendation would be \$2,984,693.00. As I pointed out to you during the public hearing process there are certain items of judgement in one of the cases, the primary one of which is the return allowed to the stock holders investment. Your consultants have recommended 14.5% based solely on some past Railroad Commission action and we would be the first to tell you that there is considerable room for discretion there with certain returns in the neighborhood of 16% having been allowed with regularity. If the amount in controversy was increased to 15.5% rate of return, that would produce an increase of about \$3,179,000 to the company. There are certain other items which are also

GAS RATE - (Continued)

in controversy on which I think we are correct but the Railroad Commission has not agreed with us totally. My recommendation to you at this time is that we attempt to avoid this case without the expenses of going to the Railroad Commission which in the past has usually cost both sides about \$100,000.00. If we went to the Railroad Commission, even though we have been fairly successful there in the last two contested cases the Commission did increase the consultant's recommendation by \$75,000.00 and by \$400,000.00. Therefore I would recommend to you that you allow the company an increase of \$3,300,000.00 per annum for the general system customers which would authorize a somewhat higher rate of return and which would be in the range of reasonableness, would split the benefits of saving of rate case expenses and would take into account the fact that the Railroad Commission will probably grant something more eventually than the consultants had recommended. Not much, but some. The ordinance which you have before you provides a blank but you can insert whatever figure you wish and I am recommending \$3,300,000.00. It provides that the company gets nothing unless it accepts this. It also provides that there will be a tariff to be filed by the company with provisions consistent with recommendations of the consultant."

Councilmember Deuser asked what the overall increase would be. Mr. Butler told him about 6% increase in the total customer bill. He said it is difficult to figure precisely.

Motion

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance approving \$3,300,000 gas rate increase for the Southern Union Gas Company.

HEALTH DEPARTMENT FEES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Goodman's second, waived the requirement for three readings and finally passed an ordinance establishing the following Health Department fees: \$50.00 fee for full mouth dentures provided to M.A.P. clients; and \$75.00 fee for partial dentures provided to M.A.P. clients. (7-0 Vote)

EXECUTIVE SESSION

Mayor McClellan announced Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes annotated; and after such closed or executive session any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary. Mayor McClellan said Council will discuss board and commission vacancies and appointments.

RECESS

Council recessed its meeting at 5:25 p.m. and resumed its recessed meeting at 6:03 p.m.

CONTRACT APPROVED

The Council, on Councilmember Duncan's motion, Councilmember Goodman's second, adopted a resolution approving the following contract:

POOL AND ROGERS
10731 Manchaca Road
Austin, Texas

-CAPITAL IMPROVEMENTS PROGRAM - Repaving of
Streets, 1982, West 5th Street & East 6th St.
Public Works Department - \$128,627.25
C.I.P. No. 82/62-05

BOARD & COMMISSION APOINTMENTS

Motion

The Council, on Councilmember Mullen's motion, Mayor Pro Tem Trevino's second, approved the following board and commission appointments: (7-0 Vote)

Cable Commission: Jane Wells, Brenda Trainor, Art Shearer, and Larry Waterhouse, with terms expiring 7/1/84

Hospital Board: Socorro Juarez, term to expire 7/1/84.

Planning Commission: Rafael Quintanilla, Judy Fowler and Larry Jackson with terms expiring 6/1/84

Mayor McClellan announced the Board & Commission appointments to be considered next week: Building Standards Commission, 1; Community Development Commission, 1; Austin Community Education Consortium, 1; Dental Health Advisory Committee, 1; Electric Utility Commission, 4; Elisabet Ney Museum Board of Directors, 1; EMS Quality Assurance Team, 1; Ethics Review Commission, 1; Austin Tomorrow On-Going Committee, 3; Hospital Board, 3; Manpower Advisory Planning Council, 1; Environmental Board, 1; Planning Commission, 1; Vending Commission, 2; Wrecker Standards Commission, 1. The following appointments are due to be made August 4, 1982: Water and Wastewater Commission, 2; Downtown Revitalization Commission, 1; and Human Relations Commission, 1.

CABLE COMMISSION SIZE

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Goodman's second, waived the requirement for three readings and finally passed an ordinance amending the Cable Television Commission Ordinance by reducing the number of members to ten with no ex officio members. (7-0 Vote)

PERRY SCHOOL

Mayor McClellan opened the public hearing scheduled for 6:00 p.m. on an appeal from the decision of the Planning Commission denying a Special Permit to Perry School.

Mr. Lillie reviewed the application for a Special Permit which is a request to add 2,800 square feet of classrooms by using a structure at 713 Park Boulevard. Access to the site is proposed from one two way drive and one exit driveway off East 41st Street. Mr. Lillie said the Planning Commission denied the Special Permit based on finding of fact items 1, 4, 6 and 9, which are safety of the motoring public, noise producing elements, street size and adequacy of pavement width, and such other measures as will secure and protect the public health, safety, morals and general welfare.

PERRY SCHOOL - (Continued)

Councilmember Goodman said he did not see how a Special Permit will be approved by Council and said a lot of time could be saved if the public hearing was not held. Mayor McClellan told him the public hearing is posted and it would violate the legal process not to hold the hearing. She said sometimes, after listening at a hearing, she changes her mind about her final decision. Other Councilmembers agreed.

Mr. Joe Cannon, Chairman of the Board, Perry School, told Council the school, which is on the Perry mansion site, requires expansion to stabilize their economic base. The school would like to use the house at 713 Park Boulevard for added classrooms for their school for 3-5 years. The traffic plan they propose would allow no vehicle or pedestrian traffic on Park Boulevard. The area will be fenced.

Dr. Cooper, Dean of Women, made comments from the audience.

Mayor McClellan questioned usage of buildings on the site which are not now used as classrooms. Mr. Cannon told her that none of them are suitable for classrooms.

Mr. J. Westbrook, parent of a Perry School student, showed slides of the school and the proposed addition.

Lee Perry, a student at Perry School, told Council the school is very good but they need more room.

Lill Clark, whose daughter is in the senior high school, said the school is committed to good education and the proposed acquisition would be well maintained and improved.

Dan Nelson, 802 Park Boulevard, does not oppose Perry School but he is pro neighborhood. He feels there are other alternatives.

Don Weston, 801 Park Boulevard, said an alternative should be found.

Dr. Lawrence Becker, who lives on Park Boulevard, is against the Special Permit.

George Elder, 711 Park Boulevard, said he lives 19' from the property line of the proposed addition and asks Council to deny.

Myrna Gladden, whose mother lives at 601 Park Blvd., asked Council to deny the permit request.

Charles Harker, president, Hancock Neighborhood Association, is opposed because he says it would be an unnecessary intrusion into their neighborhood.

Mike Guerrero, representing Perry School, spoke in favor of the granting of a special permit. He said the safety of the motoring public will not be impaired, and there is no cause for concern about the street size because all traffic associated with the school will be routed away from Park Boulevard. He pointed

PERRY SCHOOL - (Continued)

out the school is only used from 8-2:30 and the privacy fence will restrict noise. Mr. Guerrero said the Perry School is willing to tie a restrictive covenant to the Special Permit by (1) Restricting the use of the house to Perry School; and (2) limiting the use of the house to a 3-5 year time period.

Councilmember Deuser said that he is in sympathy with the education of children but the added noise in the neighborhood would be evident.

Motion

Councilmember Deuser made a motion, seconded by Councilmember Duncan to deny the Special Permit on finding of fact 1, 4, and 9. (Motoring public safety, noise producing elements and such other measures as will secure and protect the public health, safety, morals and general welfare.)

Councilmember Mullen asked Mr. Elder, who lives next door to the site in question, if he is still opposed to the granting of the Special Permit now that he has been made aware of the fact the house will be used on a temporary basis. Mr. Elder said he is still opposed. Mayor McClellan and Councilmember Mullen both stated they wished there was a solution. The Mayor feels that the expansion should be done on the school grounds and not in the residential neighborhood.

Mayor Pro Tem Trevino said he supports the applicants because the safeguards proposed are such that a good school can co-exist with the neighborhood.

Councilmember Urdy said there are alternatives for Perry School but there are none for the neighborhood.

Roll Call on Motion

5-1-0 Mayor Pro Tem Trevino voted No, Councilmember Goodman was out of the room.

COMMISSION ON STATUS OF WOMEN

Council had before it an ordinance amending the Commission on the Status of Women Ordinance by providing for one ex-officio member.

Ms. Susan Crute, member of the Commission on the Status of Women, appeared before Council & spoke against having an ex-officio member. She said it is not fair to honor one person like this.

Councilmember Deuser suggested there be a member emeritus. Mayor McClellan suggested there be a member emeritus with a vote.

Motion

The Council, on Councilmember Deuser's motion, Mayor McClellan's second, waived the requirement for three readings and finally passed an ordinance

WOMEN - (Continued)

amending the Commission on the Status of Women Ordinance to provide for one Emeritus member with a vote and appointed Pete Beeson as Emeritus member. (6-0 Vote, Councilmember Goodman out of the room.)

CITIZEN COMMUNICATIONS

Ms. Brooks Casson, member of the South River City Citizens, appeared before Council to read the following statement from Sam Martin, co-president, SRCC:

We urge you to move the Riverside Drive improvements from 1986 to the funded years.

On July 13, the neighbors met and voted by a substantial majority to endorse the realignment of Riverside Drive as it has been proposed in the 1976 neighborhood masterplan and reviewed and approved by the Planning Commission on November 14, 1978. The essentials of this proposal are as follows:

Realign Riverside by acquiring whole lots to the north between Alameda and IH 35, smoothing out the curves and buffering both sides of the four-lane roadway.

A narrow median (5') will prevent left turns except at Travis Heights and Newning.

A traffic light at Travis Heights will permit entrance and exit for the residents.

Keep the existing alignment of Riverside between IH 35 and Kenwood or move it to the north to protect the liveability of the homes on the south side.

Cul de sac Academy Drive.

We request that the Council, the City Manager and the Urban Transportation Department state for the record:

That the City will not make substantial alterations in the proposed realignment without neighborhood approval;

That the neighborhood will be asked to participate in working out the details of this proposal;

That this improvement be considered as the first step in a long-range plan to reduce crosstown traffic within the neighborhood on Eastside Drive, Live Oak, Woodland and other streets.

We urge you to consider moving with all speed on the purchase of the properties being sacrificed in this proposal to minimize the pain and disruption of those residents' lives.

CITIZEN COMMUNICATIONS - (Continued)

Ms. Dorothy Richter appeared before Council to discuss special permits. She said they can be vicious unless all contingencies can be written in.

ADJOURNMENT

Council adjourned its meeting at 7:25 p.m.